

### **Remarks**

In response to the final Office Action mailed on August 15, 2006, the Applicants respectfully request reconsideration based on the above claim amendments and the following remarks.

In the present application, independent claims 27 and 30 have been amended and claim 29 has been cancelled without prejudice or disclaimer. The claims have been amended to specify that the contacts comprise a module for reducing the size of data accessed in the at least one searchable database, the module arranged by at least one of a size and a geographic location; receiving proactive contact information, via the GUI, in a plurality of data fields in the at least one searchable database, the proactive contact information comprising customer account information, customer identification information, and quality contact type information, the quality contact type information comprising at least one of customer visit information and customer telephone call information; tracking edits to the proactive contact information in at least one of the plurality of data fields including indicating when a last edit to the proactive contact information was made; generating at least one report associated with the proactive contact which is utilized to track sales activities, compare the performance of the one of the plurality of sales representatives with at least one established performance metric, and determine which of a plurality of entities should be contacted and in what order; determining whether the one or more contacts with the particular entity is classified as do not call, and if so, preventing the one or more contacts from being placed in a list comprising the proactive contact to prevent the one or more contacts from receiving solicitations from the one of a plurality of sales representatives; and to clarify that the

billing information is associated with previously collected historical information associated with the one or more contacts and the one of the plurality of sales representatives. Support for this amendment may be found in on page 4, lines 5-13, page 9, lines 3-13, page 10, lines 4-8, page 11, lines 10-11, page 17, lines 14-22, and page 19, lines 11-15 in the Specification. No new matter has been added.

In the Office Action, claim 27 is rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Claim 29 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Metzler (Metzler, J., Contact Managers Build a Database to Hike Sales, Accounting Today, Copyright Faulkner and Gray Inc., New York, Vol. 9, Issue 18, 9 October 1994, starting p. 22 [PROQUEST]) in view of Zarowitz et al. (Zarowitz et al., Using Technology to Maximize Marketing Opportunity: PR Management for the 21<sup>st</sup> Century, Public Relations Tactics, New York, Vol. 5, Issue 11, November 1998, page 18 [PROQUEST], hereinafter “Zarowitz”). Claims 27, 2-6, 9-11, 23, 28, and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Metzler and Zarowitz in view of Kraft (Kraft, K., There’s a Goldmine in Collections! Using Contact Management Software to Manage Your Collection Effort, Newspaper Financial Executives Quarterly, Reston, Vol. 3, Issue 4, Third Quarter 1997, pages 28-29 [PROQUEST]). Claims 31 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Metzler in view of Melchione et al. (U.S. Patent 5,930,764), hereinafter “Melchione”).

#### **Applicants’ Statement of the Substance of the Interview**

A telephonic interview between the undersigned representative for the Applicants and the Examiner was held on November 13, 2006 to discuss the rejection of independent

claim 27. In the interview, a discussion was held regarding alleged claim deficiencies which include the failure of the claim to recite functional recitations with respect to customer contacts, customer contact information, and customer contact classifications in connection with the claimed software application for retaining and using customer contact information. The Examiner recommended adding additional details to the claims to describe the aforementioned functional recitations.

#### **Claim Rejections - 35 U.S.C. §112**

Claim 27 is rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. In particular, it is alleged in the Office Action that feature of “maximization of revenue through the scheduling of contacts” is not supported by the Specification. Claim 27 has been amended to delete the aforementioned feature. Therefore, the rejection of this claim under 35 U.S.C. § 112, first paragraph is moot and should be withdrawn.

#### **Claim Rejections - 35 U.S.C. §103**

##### Claim 29

Claim 29 is rejected as being unpatentable over Metzler in view of Zarowitz. Claim 29 has been cancelled without prejudice or disclaimer. Therefore, the rejection of this claim is moot and should be withdrawn.

##### Claims 27, 2-6, 9-11, 23, 28, and 30

Claims 27, 2-6, 9-11, 23, 28, and 30 are rejected as being unpatentable over Metzler and Zarowitz in view of Kraft. The rejection of these claims is respectfully traversed.

Amended independent claim 27 specifies a method for retaining and using contact information. The method includes receiving a first item of contact information from one of a plurality of sales representatives via a graphical user interface (“GUI”) displayed on a computer executing a software application; storing the first item of contact information in at least one searchable database in communication with the computer and associating the first item of contact information with a particular entity; receiving, via the GUI, and storing information in the at least one searchable database regarding the quality of one or more contacts with the particular entity, the one or more contacts comprising a module for reducing the size of data accessed in the at least one searchable database, the module arranged by at least one of a size and a geographic location, the quality of one or more contacts being indicated by one of a set of specific guidelines required by the software application indicating the value of the contact to the sales representatives, the set of guidelines including at least an indication of whether the contact with the particular entity is for post-sale maintenance and an indication that a contact furthered future sales opportunities that could lead to additional business; receiving and storing information in the at least one searchable database, via the GUI, regarding the classification of the same one or more contacts wherein information regarding quality was also received about the particular entity, the class of one or more contacts being indicated from a set of specific customer classes required by the software application including a proactive contact requiring a proactive sales effort, where customers classified as proactive are those where a sales representative initiated the contact with the customer; receiving proactive contact information, via the GUI, in a plurality of data fields in the at least one searchable database, the proactive contact information comprising customer account information,

customer identification information, and quality contact type information, the quality contact type information comprising at least one of customer visit information and customer telephone call information; tracking edits to the proactive contact information in at least one of the plurality of data fields including indicating when a last edit to the proactive contact information was made; generating at least one report associated with the proactive contact which is utilized to track sales activities, compare the performance of the one of the plurality of sales representatives with at least one established performance metric, and determine which of a plurality of entities should be contacted and in what order; determining whether the one or more contacts with the particular entity is classified as do not call, and if so, preventing the one or more contacts from being placed in a list comprising the proactive contact to prevent the one or more contacts from receiving solicitations from the one of a plurality of sales representatives; and receiving, electronically from a billing system, billing information associated with the particular entity in the at least one searchable database for review by the one of the plurality of sales representatives, wherein the billing information is associated with previously collected historical information associated with the one or more contacts and the one of the plurality of sales representatives.

It is respectfully submitted that the combination of Metzler, Zarowitz, and Kraft fails to teach, disclose, or suggest each of the features specified in amended independent claim 27. For example, the aforementioned combination of references fails to disclose that the contacts comprise a module for reducing the size of data accessed in the at least one searchable database, the module arranged by at least one of a size and a geographic location; receiving proactive contact information, via the GUI, in a plurality of data fields

in the at least one searchable database, the proactive contact information comprising customer account information, customer identification information, and quality contact type information, the quality contact type information comprising at least one of customer visit information and customer telephone call information; tracking edits to the proactive contact information in at least one of the plurality of data fields including indicating when a last edit to the proactive contact information was made; generating at least one report associated with the proactive contact which is utilized to track sales activities, compare the performance of the one of the plurality of sales representatives with at least one established performance metric, and determine which of a plurality of entities should be contacted and in what order; determining whether the one or more contacts with the particular entity is classified as do not call, and if so, preventing the one or more contacts from being placed in a list comprising the proactive contact to prevent the one or more contacts from receiving solicitations from the one of a plurality of sales representatives; and to clarify that the billing information is associated with previously collected historical information associated with the one or more contacts and the one of the plurality of sales representatives.

Metzler discusses contact management software which places clients, nonclients and contacts in a database so that they can be sold services or communicated with. Metzler also discusses various features associated with the software including report generation and mass mailing capabilities. Metzler further discusses user definable fields for entering general contact information, a contact type including a referral source, influencer, friend, vendor or existing client, and client interests. Metzler further discusses rating prospects as being hot, warm, cool, and suspect. See pages 1 and 2.

Metzler, however, fails to disclose contacts which comprise a module for reducing the size of data accessed in a searchable database, the module arranged by at least one of a size and a geographic location, as recited in amended claim 27. Metzler further fails to disclose tracking edits to proactive contact information in at least one of a plurality of data fields including indicating when a last edit to the proactive contact information was made, generating at least one report associated with the proactive contact which is utilized to compare the performance of the one of a plurality of sales representatives with at least one established performance metric and determine which of a plurality of entities should be contacted and in what order, as recited in amended claim 27. Instead, Metzler only discusses fields for entering general contact information, contact type, and client interests. Metzler further fails to disclose determining whether one or more contacts is classified as do not call, and if so, preventing the one or more contacts from being placed in a list comprising the proactive contact to prevent the one or more contacts from receiving solicitations from one of a plurality of sales representatives, as recited in amended claim 27. Metzler further fails to disclose that received billing information is associated with previously collected historical information associated with one or more contacts and one of a plurality of sales representatives, as recited in amended claim 27.

Zarowitz, relied upon in the Office Action for allegedly curing the deficiencies of Metzler, discusses contact management software utilizing a single database for storing contact data, entering information regarding press release mailings, meetings, and client placements, a reporting function for tracing placements and modifying marketing

strategies, and retrieve historical marketing data for marketing campaign activities. See pages 1 and 2.

Zarowitz, however, which as discussed above is concerned with the storing and tracking of marketing data, fails to disclose contacts which comprise a module for reducing the size of data accessed in a searchable database, the module arranged by at least one of a size and a geographic location, preventing do not call contacts from being placed in a list of proactive contacts, generating reports for comparing the performance of sales representatives with at least one established performance metric, and tracking edits to proactive contact information in at least one of a plurality of data fields including indicating when a last edit to the proactive contact information was made.

Kraft, relied upon in the Office Action for allegedly curing the deficiencies of Metzler and Zarowitz, discusses an advertising billing system comprising fields needed for collection efforts including customer name, account number, address, phone number, contact person, sales rep. number, balance due, balance past due, various aging buckets, credit limit, credit code, last sales amount, last sales date, last payment amount, and last payment date. See page 28, columns 1 and 2.

Kraft, however, like Metzler and Zarowitz, fails to disclose contacts which comprise a module for reducing the size of data accessed in a searchable database, the module arranged by at least one of a size and a geographic location, preventing do not call contacts from being placed in a list of proactive contacts, generating reports for comparing the performance of sales representatives with at least one established performance metric, and tracking edits to proactive contact information in at least one of



a plurality of data fields including indicating when a last edit to the proactive contact information was made.

Based on the foregoing, it is respectfully submitted that amended independent claim 27 is allowable and the rejection of this claim should be withdrawn. Claims 2-6, 9-11, 23, 28 each depend from amended independent claim 27 and thus specify at least the same features. Therefore, these claims are allowable for at least the same reasons. Amended independent claim 30 specifies similar features as amended independent claim 27 and thus is also allowable for at least the same reasons. Therefore, the rejection of claims 2-6, 9-11, 23, 28, and 30 should also be withdrawn.

#### Claims 31-32

Claims 31 and 32 are rejected as being unpatentable over Metzler in view of Melchione. The rejection of these claims is respectfully traversed.

Claims 31 and 32 depend from amended independent claim 30, recite at least the same features, and are thus allowable over Metzler for at least the same reasons discussed above with respect to amended claim 30. Melchione, relied upon in the Office Action for allegedly curing the deficiencies of Metzler, discusses an electronic sales and service support system that provides identification of sales targets using a centralized database which contains financial and demographic data to support marketing activities. A system is discussed that allows a bank to predict and take advantage of when a customer is open to changing banks or opening new accounts. See col. 5, lines 30-67.

Melchione, however, which is concerned with the use of financial and demographic data to support bank marketing activities, fails to disclose contacts which comprise a module for reducing the size of data accessed in a searchable database, the

module arranged by at least one of a size and a geographic location, preventing do not call contacts from being placed in a list of proactive contacts, generating reports for comparing the performance of sales representatives with at least one established performance metric, and tracking edits to proactive contact information in at least one of a plurality of data fields including indicating when a last edit to the proactive contact information was made, among other novel features recited in claims 31-32 (by virtue of their dependence on amended claim 27). Therefore, it is respectfully submitted that claims 31-32 are allowable for at least the foregoing reasons and the rejection of these claims should be withdrawn.

### **Conclusion**

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicants' attorney at the number listed below.

No fees are believed due at this time. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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